

REMARKS

Claims 4, 7-9, 15, and 18-19 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As discussed below, these claims are either cancelled or amended in such a way to address the objection.

Claims 1-24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Parker et al ("Parker", US2002/0116541) in view of Heinonen et al ("Heinonen", US6,633,758). While Applicant traverses this rejection, to expedite prosecution Applicant has amended the claims as discussed further below.

Claims 4, 15 and 19 stand rejected under 35 U.S.C. 112 because of insufficient antecedent basis for the limitation "said event". As part of the above-referenced amendments, claims 4, 15, and 19 have been cancelled so this rejection is moot.

Claims 7, 9, and 18 stand rejected under 35 U.S.C. 112 because of insufficient antecedent basis for the limitation "said application". In response to this rejection, claim 7 has been amended to replace "said application" with "one of said plurality of applications". In response to this rejection and the obviousness objection from the Office Action, claims 9 and 18 have been cancelled, without prejudice.

As noted in the Applicant's response to the previous Office Action Parker does not disclose "each of said notification behaviour being uniquely configurable for

each of said application". This deficiency in Parker is conceded by the Examiner (see Office Action page 4 first full paragraph). However, the Examiner argues that "... it is known that message and reminder are handled by different applications." See last sentence of page 4 first full paragraph of Office Action. It may be true that message and reminder are handled by different applications but having different applications processing message and reminder does not change the reality that Parker does not teach, suggest or disclose having "each of said notification behaviour being uniquely configurable for each of said application." In Parker, once an application wishes to notify the user of the device, the notification behaviour is dictated by Table 1. Regardless of the type of application utilizing Table 1, the notification behaviour is the same for all applications because Table 1 distinguishes the notification behaviour by the type of Profile (i.e., first column of Table 1) not by the type of application.

The Examiner alleges that Heinonen discloses "each of said notification behaviour being uniquely configurable for each of said application." See last paragraph of page 4 of Office Action.

Heinonen discloses a method to modify operational mode in a communication device based on application specific parameters. See Heinonen abstract. Heinonen customizes each application's behaviour by modifying the default behaviour of the application or default value of the application's parameters. See Heinonen column 2 lines 34-44. The device maintains a profile per application.

The Examiner alleges that it would be obvious for a person skill in the art at the time the invention was made to "modify Parker's disclosure to include notification behaviour basing on a plurality of profiles configurable for each said

application as taught by Heinonen." See first full paragraph of page 5 of Office Action.

As a reminder there are seven categories A-G that the MPEP lists as rationales for supporting a conclusion of obviousness. For example, "predictable results" required for rationales A-B, D and F, or the "known technique to improve" required for rationale C, or the "expectation of success" required for rationale E. The Office Action fails to provide an explicit analysis of same as required by KSR. Applicant submits that, to the extent a motivation to combine can be found, Parker in combination with Heinonen would result in only one profile per application. Figure 3 of Heinonen shows a process for installing new application where modification of existing **operational profiles** are contemplated for that **individual application**. Thus Heinonen may be used to enhance Parker, but only to the extent of modifying an operational profile that is unique to an individual application. Thus Applicant respectfully submits that the rejections in the Office Action are improper. However, in order to expedite prosecution with a view to reaching a compromise with the USPTO, Applicant has, on a without prejudice basis, amended the claims 1 and 20 to more clearly distinguish the present application over Parker and Heinonen by the limitation of "each of said profiles associated with all of said applications; each of said applications within each of said profiles having a plurality of notification behaviours". To harmonize with the amendments to claims 1 and 20, Applicant has cancelled claims 4, 9, 11-19, and 21-24, and amended claims 5, 6, and 7.

Since the amended independent claim 1 distinguishes the present application over Parker and Heinonen, the amended dependent claims 2, 5, 6, 7, 8, and 10, as well as the original claim 3 also distinguish the present application over Parker and Heinonen. In particular, Applicant has amended claim 8 to further clarify

that the "profile string matcher" is part of a profile settings application that permits a user to predefine a string of text that can be associated with one of the profiles. Support for this limitation is found in at least Figure 25 and the accompanying text.

In view of the claim amendment and the above remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

CONCLUSION

Applicant has made the amendments with a view to reaching a reasonable compromise with the USPTO, recognizing the USPTO's duty to protect the public interest while balancing the rights of the Applicant. Applicant would welcome a telephonic dialogue with the Examiner to discuss the application with a view to reaching agreement on a favourable and fair disposition.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-3750.

Respectfully submitted,

By  _____

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